

Meeting Minutes of the City of Milpitas Campaign Finance Reform Committee

MONDAY, MAY 18, 2015

6:00 PM

Milpitas City Hall, Committee Room, 1st floor
455 E. Calaveras Boulevard, Milpitas, CA

CALL TO ORDER

Chair Althea Polanski called the meeting to order at 6:04 PM.

ROLL CALL:

Committee Members present were Althea Polanski, Marty Riker, Syed Mohsin, Bob Nunez, Rohit Sharma, Rajeev Madnawat

Committee Members absent were: Lokesh Krishnarajpet. Bill Ferguson and Martha Lamdin were absent at roll call. Martha arrived at 6:11 PM and Bill arrived at 6:24 PM.

Staff present were City Attorney Mike Ogaz and City Clerk Mary Lavelle.

The meeting agenda was approved by unanimous vote.

The meeting minutes of the April 18, 2015 meeting were approved by unanimous vote.

Public forum – none.

DISCUSSION

Chair Polanski asked for reports from the three subcommittees.

First reported was the Disclosure – Enforcement group, with a handout provided by Syed Mohsin.

For this subcommittee, Rajeev Madnawat reviewed three recommendations on contributions; penalties; and standing. This group liked one San Francisco rule, that if a candidate did not have the required reporting information from a donor, the check cannot be deposited from the contributor.

Rajeev described proposed penalties (see handout), and added that attorney fees were to be paid by the prevailing party in court.

City Attorney Ogaz said he could offer comments on legalities on some of the recommendations, with formal legal opinion issued prior to the next meeting and before taking them to City Council.

Chair Polanski asked for reaction to these ideas. Lots of discussion on process and what direction to the City Council would ultimately be given.

Marty Riker was unsure about how many campaigns received contributions after election. Chair Polanski explained how and why candidates loaned themselves money up front, and then raised funds to pay back, before and after election day.

Martha Lamdin talked about requiring candidates to close committee after the election and to donate all leftover funds to charity, e.g. related to a voluntary expenditure cap. The committee had some discussion on a date when to require the termination of a campaign committee (January, February or other date following election).

For the subcommittee on Limits, Rohit Sharma discussed the concept of having a voluntary cap on the limit of contributions. For example, limit contributions to \$250 if agreeing, then something else lower perhaps if not in agreement. Also, \$1.20 to \$15 per vote was calculated to win an election, so the cost could be \$3.00 per registered voter. Maybe have a maximum \$100 donation per donor, if there was no agreement with a voluntary expenditure cap.

Marty Riker provided some information on spending caps from nearby cities including Gilroy and Santa Clara.

Rajeev noted that the Council could adjust the figure for inflation for each future year, after Council adopted an ordinance, tied to CPI or inflation figure.

One idea suggested was to have a voluntary cap on campaign expenses, and if agreed, a \$500 contribution maximum, with a “free” ballot statement in sample ballot pamphlet, i.e. paid by the City not the candidate. A source of funds to cover that cost would need to be identified. A star next to candidate’s name could appear in the paper and on the candidate’s statement if agreeing with the cap. Expenditure limits of \$15,000 for City Council and \$20,000 for Mayor were suggested/

If not agreeing to an expenditure cap, a different contribution limit of e.g. only \$250, and candidate paid for his/her own Candidate’s Statement. Penalty would accrue if candidates changed their minds including a return up to \$250 to each donor, and then pay \$1000 to City. Other concepts for penalties were discussed.

When to start a campaign and fundraising for a November election was discussed with a consideration to start no earlier than January with a cut-off in mid-October. This was from Althea’s subcommittee on Limits.

Campaign Reform subcommittee: Marty talked about disclosure of donors between a company if it had a pending contract with the City, consider electronic filing of forms/campaign reports, having a searchable electronic dbase, possible District Elections (per other Bay Area cities he had researched). His subcommittee urged some thought on the timing for campaigning.

Chair Polanski asked the City Attorney if he would be able to comment on some of the ideas raised at this meeting, and he said yes.

ADJOURNMENT

Chair Polanski adjourned the meeting at 7:40 PM. Next meeting would be Monday, June 15 at 6:00 PM. She stated the next meeting would be to have a review of final recommendations from the group and to make some firm recommendation to City Council as well as to hear from the City Attorney.

*Meeting minutes prepared
by Mary Lavelle, City Clerk*